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December 20, 2017

Federal Election Commission
Office of Complaints Examination
and Legal Administration
Attn: Kathryn Ross, Paralegal
999 E. Street, NW
Washington, DC 20436

By Email Transmission Only
CELA@sec.gov

Re: MUR 7297; Response of Making Bold Initiatives + Solutions to Help America (M-BISH PAC) and Valerie Tillstrom, Treasurer (collectively, the "Committee")

Dear Ms. Ross:

INTRODUCTION

This office represents the above-referenced Committee,¹ which has received a complaint (the "Complaint") designated Matter Under Review (MUR) 7297 by the Federal Election Commission (the "Commission"). This letter responds to the Complaint filed with the Commission dated November 13, 2017 by Livingston County Democratic Party Chairwoman Judith Daubenmier for the sole purpose of creating negative newspaper articles attacking Congressman Mike Bishop.² If there was any doubt as to the true motivation behind the Complaint, one need only look at the caption of the Complaint which prominently lists "Representative Mike Bishop" as a respondent.³ However, the Complaint itself makes no allegations against "Representative Mike Bishop". For this reason, the Commission has already correctly concluded that "Representative Mike Bishop" is not a Respondent in this matter!⁴

¹ The Statements of Designation of Counsel signed by the Committee were previously sent to the Commission on November 30, 2017.

² From The Detroit News, "FEC complaint filed against Rep. Bishop PAC" available at <http://www.detroitnews.com/story/news/politics/2017/11/15/mike-bishop-fec-complaint/107721854/>; From Roll Call, "County Democratic Party Files FEC Complaint Against Bishop" available at <https://www.rollcall.com/news/politics/county-democrats-file-fec-complaint-against-bishop>.

³ See Complaint, page 1.

⁴ See the Commission's Letter to the Committee in MUR 7297 dated November 16, 2017.

THERE IS NO REPORTING VIOLATION HERE

The Complaint represents a desperate attempt to create a violation where none exists. Significantly, the Complaint alleges that the Committee failed to report a \$1,000 contribution made to the Committee by Capital One Financial Corporation PAC on the Committee's 2017 Mid-Year Report.⁵ The sole "evidence" in this claim is that Capital One Financial Corporation PAC reported contributing \$1,000 to the Committee on June 7, 2017.⁶ Although June 7, 2017 may have been the correct date when this contribution was made,⁷ the correct date when this contribution was received is July 7, 2017. The "date of receipt" is the date the Committee (or a person acting on the Committee's behalf) actually receives the contribution.⁸ In this case, the "date of receipt" of the \$1,000 contribution from Capital One Financial Corporation PAC is July 7, 2017.⁹ Thereafter, the Committee deposited this contribution on July 15, 2017 in compliance with Commission regulations.¹⁰ Because the close of books/reporting period for the Committee's 2017 Mid-Year Report was June 30, 2017,¹¹ and this particular contribution was not received by the Committee until July 7, 2017, there can be no violation for failing to report this contribution on the Committee's 2017 Mid-Year Report.¹²

CONCLUSION

For all of the foregoing reasons, the Commission should find no reason to believe a violation occurred. The Complaint should be promptly dismissed and the file closed.

Sincerely,

DOSTER LAW OFFICES, PLLC



Eric Doster

ED/kas
Enclosures

⁵ See Complaint, pages 2-5.

⁶ See Complaint, page 3 citing FEC Disbursement Search, November 6, 2017, available at https://www.fec.gov/data/disbursements/?two_year_transaction_period=2018&data_type=processed&recipient_name=C00627398&min_date=01%2F01%2F2017&max_date=12%2F31%2F2018.

⁷ See 11 C.F.R. 110.1(b)(6).

⁸ 11 C.F.R. 102.8(a); Advisory Opinion 1991-18.

⁹ See attached Affidavit of the Committee's treasurer, paragraph 2.

¹⁰ See attached Affidavit of the Committee's treasurer, paragraph 3; 11 C.F.R. 103.3(a).

¹¹ See 11 C.F.R. 104.5(c)(2); FEC.gov, 2017 Reporting Dates, available at http://classic.fec.gov/info/report_dates_2017.shtml.

¹² The Committee acknowledges that the Complaint also references three late filed reports; however, the record is clear that the Commission has already contacted the Committee about these reports. FEC RFAI, M-BISH PAC, (Dec. 28, 2016), FEC RFAI, M-BISH PAC, (Feb. 16, 2017), RFAI, M-BISH PAC, (Aug. 16, 2017). Significantly, the Commission routinely determines to dismiss "complaint-generated matters that are presented to the Commission that have already been resolved through the Commission's compliance and enforcement processes." See, for example, MUR 6025 (Marsha Blackburn for Congress, Inc. *et al*), General Counsel's Report, page 1.

